

ARTICLE VII:

CHARLES CITY COUNTY

SEPTIC SYSTEM CONTROL ORDINANCE

Adopted: July 1, 1994

CHARLES CITY COUNTY

SEPTIC SYSTEM CONTROL ORDINANCE

Section 1.0 Title

This Ordinance shall be known as the Charles City County, Septic System Control Ordinance.

Section 2.0 Authority

This ordinance is enacted pursuant to the authority and mandates of the Chesapeake Bay Preservation Act, Section 10.1-2100, et seq., of the Code of Virginia.

Section 3.0 Definitions

Chesapeake Bay Preservation Area (CBPA):

means any land designated by the Charles City County Board of Supervisors pursuant to Part III of the Chesapeake Bay Preservation Area Designation and Management Regulations, VR 173-02-01, and Section 10.1-2107 of the Code of Virginia. Chesapeake Bay Preservation Areas shall consist of all Resource Protection Areas and Resource Management Areas.

Highly Permeable Soils:

means soils with a give potential to transmit water through the soil profile. Highly permeable soils are identified as any soils having permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches (permeability groups "rapid" and "very rapid") as found in the National Soils Handbook of July 1983 in the Field Office Technical Guide of the U.S. Department of Agriculture Soil Conservation Service.

Resource Protection Areas:

shall consist of sensitive lands adjacent to or near the shoreline that have either an intrinsic water quality value due to the ecological and biological processes they perform or that are sensitive to uses or activities such that the

use results in significant degradation to the quality of State Waters. In their natural condition, these lands provide for the removal, reduction, or assimilation of non-point source pollution entering the Bay and its tributaries.

RPAs shall include:

- 1) Tidal wetlands;
- 2) Non-Tidal wetlands connected by surface flow and contiguous to tidal wetlands or tributary streams.
- 3) Tidal shores;
- 4) A 100 foot buffer area measured horizontally located adjacent to and landward of the components listed in subsections 1 through 3 above, and along both sides of any tributary stream.

Resource Management Areas:

shall include the following lands:

- 1) Those areas contiguous to any Resource Protection Area where there is an overlap of soils delineated as highly erodible and soils delineated as highly permeable; and
- 2) Those areas contiguous to any Resource Protection Area that are delineated as a 100 year floodplain; and
- 3) An area twenty-five (25) feet in width landward and contiguous to the entire inland boundary of the Resource Protection Area.

Septic system:

as used in this article shall mean a conventional septic tank and drainfield system with a septic tank and with gravity feed drainfields as approved by the Charles City County Department of Health or a pump system with a septic tank and pump station and with drainfields as approved by the Charles City County Department of Health.

Section 4.0 Maintenance and Repair of Septic Systems

Section 4.1

For septic systems located on parcels of land that are located within designated Chesapeake Bay Preservation Areas to include highly permeable soils contiguous to Chesapeake Bay Preservation Areas, Section 4.3 is effective 1 January 1995.

Section 4.2

For septic systems in the remaining areas of the County, Section 4.3 is effective 1 July 1995.

Section 4.3

All septic systems shall be pumped and maintained once every five years, the initial five year period to begin on the effective date of this ordinance or the issuance of a certificate of occupancy for the structure served by the system in question, whichever is later. Such pumping and maintenance shall be performed in a manner approved by the Charles City County Health Department. The owner of a septic system shall, immediately upon having a septic system pumped and maintained, certify in a form approved by the Health Department that such pumping and maintenance was performed. The pumping and maintenance required by this section must be performed by an individual or entity approved by the County of Charles City.

Section 5.0 Penalty

If the county administrator, or the official designated by him/her determines that the owner of a septic system has failed to comply with the requirements of Section 4.0 of this Ordinance, he/she shall notify the owner of such determination by certified mail, return receipt requested, sent to the address listed in the real estate tax records. Such notice shall also notify the owner that he/she is required to correct the violation of Section 4.0 as applicable. If the violation is not corrected within thirty (30) days of receipt of such notice, the county administrator, or her designee, may correct the violation using county forces or a private contractor. The cost of such correction together with an administrative handling charge of up to one hundred fifty dollars (\$150.00) shall be billed to the owner and if not paid within thirty (30) days, the cost of correction and handling charge shall be added to, and collected in the same manner as the real estate tax on such property. In addition, the county administrator, or her designee shall certify to the clerk of the circuit court of the county that the cost and charge is unpaid and the clerk shall record such unpaid cost and charge in the judgment lien docket book.

Section 6.0 Severability

Should any provision(s) of this ordinance be held to be unconstitutional or invalid, then that provision(s) shall lapse and the remainder of this Ordinance shall remain in full force and effect.

Section 7.0 Effective Date

This Ordinance is effective July 1, 1994.

